

**COMMITTEE ON FINANCE**  
**(Standing Committee of Berkeley County Council)**

Chairman: Mr. Steve M. Vaughn, District No. 5

Members: Mr. Milton Farley, District No. 1  
Mrs. Judith K. Spooner, District No. 2  
Mr. William E. Crosby, District No. 3  
Mr. Charles E. Davis, District No. 4  
Mrs. Judy C. Mims, District No. 6  
Mr. Caldwell Pinckney, Jr. District No. 7  
Mr. Henry L. Richardson, Jr., District No. 8  
Mr. James H. Rozier, Jr., Supervisor, ex officio

The COMMITTEE ON FINANCE met on Monday, September 17, 2001, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 7:55 p.m.

PRESENT: Mr. Steve M. Vaughn, Councilmember District No. 5, Chairman; Mr. Milton Farley, Councilmember District No. 1; Mrs. Judith K. Spooner, District No. 2; Mr. William E. Crosby, Councilmember District No. 3; Mr. Charles E. Davis, Councilmember District No. 4; Mrs. Judy C. Mims, Councilmember District No. 6; Mr. Caldwell Pinckney, Jr., Councilmember District No. 7; Mr. Henry L. Richardson, Jr., Councilmember District No. 8; Mr. James H. Rozier, Jr., Supervisor, ex officio; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin, Clerk to County Council.

The requirements of the Freedom of Information Act have been complied with by posting the time, date, place and agenda of this meeting of Berkeley County Council at the entrance to the Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, and a copy of such notice was mailed to all Councilmembers and the News media.

Chairman Vaughn called the meeting to order and stated the first item on the agenda was Consideration prior to First Reading of an Ordinance to amend the agreement for development of a Joint County Industrial Park executed on April 24, 1995, by and among Berkeley County, South Carolina, and Williamsburg County, South Carolina, providing for the development of a jointly owned and operated Industrial/Business Park so as to include additional property in both Berkeley County and Williamsburg County as part of the joint county industrial park, and other matters relating thereto.

It was moved by Councilmember Spooner and seconded by Councilmember Farley to send the Ordinance for the Joint County Industrial Park to Council for First Reading. The motion passed by unanimous voice vote of the Committee.

Item B was Review prior to Second Reading of the following:

1. Bill No. 01-47, an Ordinance authorizing the execution and delivery of a fee-in-lieu of tax agreement by and among Berkeley County, South Carolina, and Triton PCS Holdings Company, L.L.C.; and other matters relating hereto including, without limitation, payment of a fee in lieu of taxes.

It was moved by Councilmember Spooner and seconded by Councilmember Crosby to send Bill No. 01-47 to Council for Second Reading. The motion passed by unanimous voice vote of the Committee.

2. Bill No. 01-48, an Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and among Berkeley County, South Carolina, and DIBS-SUN, LLC; and other matters relating thereto including without limitation, payment of a fee in lieu of taxes.

It was moved by Councilmember Crosby and seconded by Councilmember Farley to send Bill No. 01-48 to Council for Second Reading. The motion passed by unanimous voice vote of the Committee.

Item C, Review prior to Third Reading of Bill No. 01-39, an Ordinance to amend Ordinance No. 87-6-9 providing for the creation of the Berkeley County Accommodations Tax Advisory Committee, appointment of committee members, and the rules and regulations governing the operation of the committee.

It was moved by Councilmember Spooner and seconded by Councilmember Farley to send Bill No. 01-39 to Council for Third Reading. The motion passed by majority vote of the Committee with Councilmember Crosby voting "nay."

After the vote, the Committee discussed the number of members that should be on the Advisory Committee. Mr. Stokes stated the proposed ordinance that was passed at Second Reading called for eight members. The suggested change tonight would have been seven because the State statute requires the Committee shall consist of seven members. The original ordinance that was passed in 1987 required eight members because the statute allowed for the appointment of no less than five members. He stated it was his understanding that Council at that time choose the number eight so that each Councilmember would have an appointee on the Committee. The law changed in 1991 to require that seven members be placed on the committee. Having eight is superfluous and can create a problem but he doesn't think it will as long as the proportion of the lodging and hospitality industry is represented in the same proportion as the State statute requires. Mr. Stokes indicated that the Ordinance as passed has eight members with the change that the term of the member of the committee run concurrent with that of the nominating Councilmember.

Councilmember Davis asked would the member he appointed remain on the committee until his terms expires? Mr. Stokes stated yes, according to the way the ordinance is currently written. As amended, the appointee's term runs concurrent with the Councilmember that appointed not the district in which they live.

Item D, Resolution authorizing Berkeley County, South Carolina, to consent to the assignment by Liberty Property Partnership of its interest in a real property lease purchase agreement pursuant to a fee-in-lieu of ad valorem taxes and other matters related thereto.

It was moved by Councilmember Crosby and seconded by Councilmember Farley to send the Resolution to Council for adoption. The motion passed by unanimous voice vote of the Committee.

Item E, REPORTS FROM STANDING COMMITTEE:

Committee on Justice and Public Safety, Councilmember Milton Farley, Chairman.

Councilmember Farley moved to accept the Committee's recommendation to send the request from the Sheriff's Department to Council for a 10% matching fund in the amount of \$18,492 for a Local Law Enforcement Grant to locate the funds in the budget.

The motion passed by unanimous voice vote of the Committee.

Councilmember Farley moved to accept the Committee's recommendation to send the request from EMS to Council for two Life Pak 12 Cardiac Monitors in the amount of \$3,300 to locate funds in the budget.

The motions passed by unanimous voice vote of the Committee.

Committee on Community Services, Councilmember Judy C. Mims, Chairman.

Councilmember Mims moved to accept the Committee's recommendation to send the request for additional funds for the Library to Council in the amount of \$6,560 for a filtering system mandated by the State to locate funds in the budget.

The motion passed by unanimous voice vote of the Committee.

It was moved by Councilmember Crosby and seconded by Councilmember Farley to go into Executive Session for receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim. The motion passed by unanimous voice vote of the Committee.

The Committee on Finance went into Executive Session at 8:10 p.m. and returned at 8:29 p.m.

Mr. Stokes stated the Committee went into Executive Session to discuss matters as stated in the motion; no formal action was taken.

It was moved by Councilmember Spooner and seconded by Councilmember Crosby to adjourn. The motion passed by unanimous voice vote of the Committee.

The Meeting adjourned at 8:30 p.m.

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There will be a Meeting of the COMMITTEE ON FINANCE, Standing Committee of Berkeley County Council, on Monday September 17, 2001, in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, immediately following a meeting of the Committee on Public Works and Purchasing, the Committee on Land Use, the Committee on Planning and Development, at 6:00 p.m.

**AGENDA**

A. Consideration prior to First Reading of An Ordinance to amend the agreement for development of a Joint County Industrial Park executed on April 24, 1995, by and among Berkeley County, South Carolina, and Williamsburg County, South Carolina, providing for the development of a jointly owned and operated industrial/business park so as to include additional property in both Berkeley County and Williamsburg County as part of the joint county industrial park, and other matters relating thereto.

B. Review prior to Second Reading of the following:

1. Bill No. 01-47, An Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and among Berkeley County, South Carolina, and Triton PCS Holdings Company, L.L.C.; and other matters relating hereto including, without limitation, payment of a fee in lieu of taxes.

2. Bill No. 01-48, An Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and among Berkeley County, South Carolina, and DIBS-SUN, LLC; and other matters relating thereto including, without limitation, payment of a fee in lieu of taxes.

C. Review prior to Third Reading of Bill No. 01-39, an Ordinance to amend Ordinance No. 87-6-9 providing for the creation of the Berkeley County Accommodations Tax Advisory Committee, appointment of committee members, and the rules and regulations governing the operation of the committee.

D. RESOLUTION authorizing Berkeley County, South Carolina, to consent to the assignment by Liberty Property Limited Partnership of its interest in a real property lease purchase agreement pursuant to a fee-in-lieu of ad valorem taxes and other matters related thereto.

E. REPORTS FROM STANDING COMMITTEES:

1. Committee on Justice and Public Safety  
Council Member Milton Farley, Chairman
  - a. Sheriff's Department: 10% matching funds for LLEGB Grant.
  - b. EMS Department: Additional funds for purchase of monitors.
2. Committee on Community Services  
Council Member Judy Mims, Chairman
  - a. Library: Additional funds for department.

September 12, 2001  
S/Barbara B. Austin  
Clerk to County Council